GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2332
ANSWERED ON:04.12.2001
REPORT ON PRISON REFORMS
SULTAN SALAHUDDIN OWAISI

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Justice Krishna Iyer Committee`s Report on Prison Reforms has not yet been implemented by the Government;

(b) if so, the reasons therefor;

(c) whether any consultations have been held with the State Governments in this regard;

(d) if so, the details thereof;

(e) if not, the reasons therefor; and

(f) the steps taken or being taken by the Government to implement these recommendations at the earliest possible?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) to (f): `Prisons` is a State subject, as per entry 4 of List II (State List) of the Seventh Schedule of the Constitution. Therefore most of the recommendations of Justice Iyer Committee on Prison Reforms have to be implemented by the State Governments. The Government of India have asked the Bureau of Police Research and Development to carry out an assessment of the status of implementation of the recommendations by the States.

The Committee had also made certain recommendations concerning the Central Government. The position regarding some of these recommendations is as follows:-

i. One such recommendation was to have a comprehensive Prison and Prisoners Act. In this respect the Central Government had asked the State Governments for resolutions under Article 252 of the Constitution in order to enable the Parliament to enact a Prisons Act to replace the existing Prisons Act, 1894. Not having received the requisite response from the State Governments, the Central Government circulated a Model Prisons Bill for adoption.

ii. Another recommendation was to replace the existing Police Act, 1861. In this respect the State Governments have been advised to take action.

iii. The Committee also recommended that policy guidelines may be circulated on the arrest, interrogation, search and detention of women etc. Guidelines on these matters have been issued to the State Governments from time to time.

iv. The Committee also recommended that representation of women in Police forces be increased. The Government of India have been advising the State Governments in this respect from time to time.